

# GHAJAR EXHIBIT 18

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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF TA-NEHISI COATES'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Ta-Nehisi Coates**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 69 And 70  
[First Supplemental])**

### **INTRODUCTION**

Plaintiff Ta-Nehisi Coates (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Ta-Nehisi Coates. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission

#### **REQUEST FOR ADMISSION NO. 69:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 70:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

Bryan L. Clobes (*pro hac vice*)

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15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18 RICHARD KADREY, *et al.*,

19 Individual and Representative  
20 Plaintiffs,

21 v.

22 META PLATFORMS, INC, a Delaware  
23 corporation,

24 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF JUNOT DIAZ'S SECOND  
SUPPLEMENTAL RESPONSES TO  
DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Junot Diaz**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 67 And 68 [First Supplemental])**

### **INTRODUCTION**

Plaintiff Junot Diaz (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Junot Diaz. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission

#### **REQUEST FOR ADMISSION NO. 67:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 67 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 68:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 68 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

RICHARD KADREY, *et al.*,

Individual and Representative  
 Plaintiffs,

v.

META PLATFORMS, INC, a Delaware  
 corporation,

Defendant.

Case No. 3:23-cv-03417-VC

PLAINTIFF CHRISTOPHER  
 FARNSWORTH'S SECOND  
 SUPPLEMENTAL RESPONSES TO  
 DEFENDANT'S FIRST SET OF REQUESTS  
 FOR ADMISSIONS

**SECOND SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 26:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 26 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission.

**REQUEST FOR ADMISSION NO. 74:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the

1 extent it calls for privileged information.

2 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 74  
3 insofar as Plaintiff maintains these rights, and Plaintiff's publisher has not, to date, presented  
4 Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which  
5 demonstrates that publishers can assist in aggregating licenses that compensate authors for the  
6 acquisition of and use of their copyrighted material in connection with LLMs.

7 **REQUEST FOR ADMISSION NO. 75:**

8 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to  
9 license the ASSERTED WORK(S) as training data for LLMs.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

11 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
12 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,  
13 at \*5 (E.D. Cal. Mar. 28, 2022) ("Where requests for admission ... are unreasonably cumulative  
14 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule  
15 36(a) and are properly subject to objection.") (internal citations omitted); *see also K.C.R. v. Cnty.*  
16 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

17 Subject to and without waiving these general and specific objections, Plaintiff admits that  
18 Plaintiff has entered into licensing agreements with Plaintiff's publisher for the Asserted Works  
19 and directs Meta to the terms of such licensing agreements, which speak for themselves.

20 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

21 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
22 Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,  
23 at \*5 (E.D. Cal. Mar. 28, 2022) ("Where requests for admission ... are unreasonably cumulative  
24 and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule  
25 36(a) and are properly subject to objection.") (internal citations omitted); *see also K.C.R. v. Cnty.*  
26 *of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

27 Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to  
28 the extent that it calls for privileged information.

1 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 75 to the  
2 extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as  
3 intermediaries and DENIES any implication that publishers play no role in licensing copyrighted  
4 works, including the acquisition of and use of such works in connection with LLMs.

5  
6 Dated: December 27, 2024

Respectfully submitted,

7 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

8  
9 By: /s/ Rachel Geman

10 Rachel Geman

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and the Proposed Class*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

v.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF CHRISTOPHER GOLDEN'S  
RESPONSES TO DEFENDANT META  
PLATFORMS, INC.'S THIRD SET OF  
REQUESTS FOR ADMISSION**

No. 08-CV-1661-LAB-NLS, 2011 WL 719206, at \*6 (S.D. Cal. Feb. 22, 2011) (*citing Google Inc. v. American Blind & Wallpaper Factory, Inc.*, No. C. 03-5340 JF (RS), 2006 WL 2578277 (N.D. Cal. Sept. 6, 2006)). To discover new information, parties must use other methods, like depositions, document requests, or interrogatories. *See, e.g., Republic of Turkey v. Christie's, Inc.*, 326 F.R.D. 394, 399 (S.D.N.Y. 2018) (explaining that “[w]hile the basic purpose of discovery is to elicit facts and information and to obtain production of documents, Rule 36 was not designed for this purpose.” (quoting 7 Moore’s Federal Practice § 36.02[1])); *Spectrum Dynamics Med. Ltd. V. Gen. Elec. Co.*, 18-CV-11386-VSB-KHP, 2021 WL 735241, at \*2 (S.D.N.Y. Feb. 25, 2021) (explaining that RFAs “are not designed to discover information like other discovery rules such as Rule 34” and excusing a party from responding where RFAs were “tantamount to contention interrogatories”). Plaintiff further objects to this Request as calling for legal analysis and a legal conclusion.

Subject to and without waiver of the foregoing objections, Subject to and without waiver of the foregoing objections, no response is required; and to the extent one is required, Plaintiff lacks sufficient knowledge to either admit or deny this Request.

#### **REQUEST FOR ADMISSION NO. 71:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

#### **RESPONSE TO REQUEST NO. 71:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits he has not granted the publisher of his ASSERTED WORKS the right to license the ASSERTED WORKS as training data for LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff’s

1 publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements,  
2 which speak for themselves.

3 **REQUEST FOR ADMISSION NO. 72:**

4 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license  
5 the ASSERTED WORK(S) as training data for LLMs.

6 **RESPONSE TO REQUEST NO. 72:**

7 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
8 Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5  
9 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and  
10 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and  
11 are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*,  
12 No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

13 Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of  
14 his ASSERTED WORKS does not possess the right to license the ASSERTED WORKS as training  
15 data for LLMs. Plaintiff further responds that he has entered into licensing agreements with Plaintiff’s  
16 publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements,  
17 which speak for themselves.

18 **REQUEST FOR ADMISSION NO. 73:**

19 Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission to  
20 license the ASSERTED WORK(S) as training data for LLMs.

21 **RESPONSE TO REQUEST NO. 73:**

22 Plaintiff objects to this Request as vague and ambiguous as to the phrase, “YOUR permission.”  
23 Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts  
24 of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at \*5 (N.D. Ill.  
25 Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not  
26 permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*,  
27 No. Civ. A. 96-577-JJF, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking  
28 Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P.

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

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11 *Plaintiffs and the Proposed Class*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF ANDREW SEAN GREER'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Andrew Sean Greer**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 70 And 71 [First Supplemental])**

### **INTRODUCTION**

Plaintiff Andrew Sean Greer (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Andrew Sean Greer. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission

#### **REQUEST FOR ADMISSION NO. 70:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 71:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 71 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

Bryan L. Clobes (*pro hac vice*)

Alexander J. Sweatman (*pro hac vice*)

Mohammed A. Rathur (*pro hac vice*)

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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF DAVID HENRY HWANG'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SET OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff David Henry Hwang**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 69 And 70  
[First Supplemental])**

### **INTRODUCTION**

Plaintiff David Henry Hwang (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff David Henry Hwang. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission

#### **REQUEST FOR ADMISSION NO. 69:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 70:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

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Bryan L. Clobes (*pro hac vice*)

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

v.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF RICHARD KADREY'S  
RESPONSES TO DEFENDANT META  
PLATFORMS, INC.'S THIRD SET OF  
REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION NO. 75:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST NO. 75:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits he has not granted the publisher of his ASSERTED WORKS the right to license the ASSERTED WORKS as training data for LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements, which speak for themselves.

**REQUEST FOR ADMISSION NO. 76:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST NO. 76:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of his ASSERTED WORKS does not possess the right to license the ASSERTED WORKS as training data for LLMs. Plaintiff further responds that he has entered into licensing agreements with Plaintiff’s

1 publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements,  
2 which speak for themselves.

3 **REQUEST FOR ADMISSION NO. 77:**

4 Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission  
5 to license the ASSERTED WORK(S) as training data for LLMs.

6 **RESPONSE TO REQUEST NO. 77:**

7 Plaintiff objects to this Request as vague and ambiguous as to the phrase, “YOUR permission.”  
8 Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts  
9 of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at \*5 (N.D. Ill.  
10 Dec. 7, 2016) (“Since requests to admit ‘must be connected to the facts of the case, courts do not  
11 permit “hypothetical” questions within requests for admission.’”); *Fulhorst v. Un. Techs. Auto., Inc.*,  
12 No. Civ. A. 96-577-JJF, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request “asking  
13 Plaintiff to admit to infringement in the context of the hypothetical use of its device”); Fed. R. Civ. P.  
14 36 advisory committee’s note to 1946 amendment; *Universal Dyeing & Printing, Inc. v. Zoetop Bus. Co.*,  
15 No. CV-223741-FLA-RAO, 2023 WL 9004983, at \*21 (C.D. Cal. June 23, 2023) (denying motion to  
16 compel where the Request for Admission was a hypothetical not tied to the facts at issue and an  
17 affirmative response would not reduce the burden on a jury at trial) (*citing Advantus, Corp. v. Sandpiper*  
18 *of Cal., Inc.*, No. 19-cv-1892-CAB (NLS), 2021 WL 2038318, at \*2 (S.D. Cal. May 21, 2021) and *Apple*  
19 *Inc. v. Samsung Elecs. Co.*, No. C 11-cv-1846 LHK (PSG), 2012 WL 952254, at \*4 (N.D. Cal. Mar. 20,  
20 2012)).

21 Subject to and without waiver of the foregoing objections, Plaintiff admits this Request.

22 **REQUEST FOR ADMISSION NO. 78:**

23 Admit that YOU have not granted another PERSON the right to license YOUR ASSERTED  
24 WORK(S) as training data for LLMs.

25 **RESPONSE TO REQUEST NO. 78:**

26 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
27 Numbers 9, 10, 11, 69, and 70. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891,  
28 at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

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12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF MATTHEW KLAM'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Matthew Klam**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 67 And 68 [First Supplemental])**

### **INTRODUCTION**

Plaintiff Matthew Klam (“Plaintiff”) hereby serves his responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Matthew Klam. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in his individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from his Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without his permission

#### **REQUEST FOR ADMISSION NO. 67:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 67 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 68:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 68 to the extent that he is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

Bryan L. Clobes (*pro hac vice*)

Alexander J. Sweatman (*pro hac vice*)

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10 *Counsel for Individual and Representative*  
11 *Plaintiffs and the Proposed Class*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF LAURA LIPPMAN'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Laura Lippman**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 75 And 76 [First Supplemental])**

### **INTRODUCTION**

Plaintiff Laura Lippman (“Plaintiff”) hereby serves her responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Laura Lippman. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from her Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without her permission

#### **REQUEST FOR ADMISSION NO. 75:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 75 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 76:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 76 to the extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

Bryan L. Clobes (*pro hac vice*)

Alexander J. Sweatman (*pro hac vice*)

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

Richard Kadrey, et al.,

*Individual and Representative Plaintiffs,*

v.

Meta Platforms, Inc.,

*Defendant.*

Lead Case No. 3:23-cv-03417-VC  
Case No. 4:23-cv-06663

**PLAINTIFF SARAH SILVERMAN'S  
RESPONSES TO DEFENDANT META  
PLATFORMS, INC.'S THIRD SET OF  
REQUESTS FOR ADMISSION**

eliminate from the trial issues as to which there is no genuine dispute and, therefore, Requests for Admissions are not intended to be used as means of gathering evidence.” *Bovarie v. Schwarzenegger*, No. 08-CV-1661-LAB-NLS, 2011 WL 719206, at \*6 (S.D. Cal. Feb. 22, 2011) (*citing Google Inc. v. American Blind & Wallpaper Factory, Inc.*, No. C. 03-5340 JF (RS), 2006 WL 2578277 (N.D. Cal. Sept. 6, 2006)). To discover new information, parties must use other methods, like depositions, document requests, or interrogatories. *See, e.g., Republic of Turkey v. Christie’s, Inc.*, 326 F.R.D. 394, 399 (S.D.N.Y. 2018) (explaining that “[w]hile the basic purpose of discovery is to elicit facts and information and to obtain production of documents, Rule 36 was not designed for this purpose.” (quoting 7 Moore’s Federal Practice § 36.02[1])); *Spectrum Dynamics Med. Ltd. V. Gen. Elec. Co.*, 18-CV-11386-VSB-KHP, 2021 WL 735241, at \*2 (S.D.N.Y. Feb. 25, 2021) (explaining that RFAs “are not designed to discover information like other discovery rules such as Rule 34” and excusing a party from responding where RFAs were “tantamount to contention interrogatories”). Plaintiff further objects to this Request as calling for legal analysis and a legal conclusion.

Subject to and without waiver of the foregoing objections, Subject to and without waiver of the foregoing objections, no response is required; and to the extent one is required, Plaintiff lacks sufficient knowledge to either admit or deny this Request.

#### **REQUEST FOR ADMISSION NO. 65:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

#### **RESPONSE TO REQUEST NO. 65:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admission Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits she has not granted the publisher of her ASSERTED WORK the right to license the ASSERTED WORK as training data

for LLMs. Plaintiff further responds that Plaintiff has entered into licensing agreements with Plaintiff's publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements, which speak for themselves.

**REQUEST FOR ADMISSION NO. 66:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST NO. 66:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) ("Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.") (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiver of the foregoing objections, Plaintiff admits that the publisher of her ASSERTED WORK does not possess the right to license the ASSERTED WORK as training data for LLMs. Plaintiff further responds that she has entered into licensing agreements with Plaintiff's publisher for the ASSERTED WORK and directs Meta to the terms of such licensing agreements, which speak for themselves.

**REQUEST FOR ADMISSION NO. 67:**

Admit that the publishers of YOUR ASSERTED WORK(S) would need YOUR permission to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST NO. 67:**

Plaintiff objects to this Request as vague and ambiguous as to the phrase, "YOUR permission." Plaintiff further objects to this Request because it is an incomplete hypothetical untethered to the facts of the case. *See, e.g., Buchanan v. Chi. Transit Auth.*, No. 16-cv-4577, 2016 WL 7116591, at \*5 (N.D. Ill. Dec. 7, 2016) ("Since requests to admit 'must be connected to the facts of the case, courts do not permit "hypothetical" questions within requests for admission.'"); *Fulhorst v. Un. Techs. Auto., Inc.*, No. Civ. A. 96-577-JJF, 1997 WL 873548, at \*3 (D. Del. Nov. 17, 1997) (denying request "asking

Dated: November 18, 2024

By: /s/ Joseph R. Saveri

Joseph R. Saveri

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10 *Counsel for Individual and Representative*  
11 *Plaintiffs and the Proposed Class*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF RACHEL LOUISE SNYDER'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Rachel Louise Snyder**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 65 And 66  
[First Supplemental])**

### **INTRODUCTION**

Plaintiff Rachel Louise Snyder (“Plaintiff”) hereby serves her responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Rachel Louise Snyder. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from her Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without her permission

#### **REQUEST FOR ADMISSION NO. 65:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the

1 right to license the ASSERTED WORK(S) as training data for LLMs.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
4 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at  
5 \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and  
6 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)  
7 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*  
8 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that  
10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works  
11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
14 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at  
15 \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and  
16 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)  
17 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*  
18 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff  
19 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it  
20 calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 65 insofar  
22 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a  
23 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that  
24 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of  
25 their copyrighted material in connection with LLMs.

26 **REQUEST FOR ADMISSION NO. 66:**

27 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to  
28 license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 66 to the extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

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6 *Class, Additional Counsel Listed Below*

7 UNITED STATES DISTRICT COURT  
8 NORTHERN DISTRICT OF CALIFORNIA  
9 SAN FRANCISCO DIVISION

10 RICHARD KADREY, *et al.*,

11 Individual and Representative  
12 Plaintiffs,

13 v.

14 META PLATFORMS, INC, a Delaware  
corporation,

15 Defendant.

Case No. 3:23-cv-03417-VC

PLAINTIFF LYSA TERKEURST'S SECOND  
SUPPLEMENTAL RESPONSES TO  
DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS

16 PROPOUNDING PARTY: DEFENDANT META PLATFORMS, INC.

17 RESPONDING PARTY: PLAINTIFF LYSA TERKEURST

18 SET NO.: ONE (Requests Nos. 24 [SECOND SUPPLEMENTAL], 69 and 70  
19 [FIRST SUPPLEMENTAL])

20 **INTRODUCTION**

21 Plaintiff Lysa TerKeurst ("Plaintiff") hereby serves her responses and objections to  
22 Defendant Meta Platforms, Inc.'s ("Defendant" or "Meta") Second and Third Set of Requests for  
23 Admissions (the "Requests" or "RFAs").

24 **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

25 **REQUEST FOR ADMISSION NO. 24:**

26 Admit that YOU are personally unaware of any text generated by any of Meta's Llama  
27 models that infringes YOUR ASSERTED WORKS.  
28

**RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Lysa TerKeurst. Plaintiff objects to the phrase “personally unaware” as unintelligible. Subject to and without waiving these objections, Plaintiff denies Request No. 24.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 26 based on the existence of material from her Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without her permission.

**REQUEST FOR ADMISSION NO. 69:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Numbers 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Subject to and without waiver of the foregoing objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the ASSERTED WORKS and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 69 insofar as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that publishers can assist in aggregating licenses that compensate authors for the acquisition of and use of their copyrighted material in connection with LLMs.

**REQUEST FOR ADMISSION NO. 70:**

Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 70 to the extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

Dated: December 27, 2024

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10 *Counsel for Individual and Representative*  
11 *Plaintiffs and the Proposed Class*

12 **UNITED STATES DISTRICT COURT**  
13 **NORTHERN DISTRICT OF CALIFORNIA**  
14 **SAN FRANCISCO DIVISION**

15 RICHARD KADREY, *et al.*,

16 Individual and Representative  
17 Plaintiffs,

18 v.

19 META PLATFORMS, INC, a Delaware  
20 corporation,

21 Defendant.

Case No. 3:23-cv-03417-VC

**PLAINTIFF JACQUELINE WOODSON'S  
SECOND SUPPLEMENTAL RESPONSES  
TO DEFENDANT'S SECOND AND THIRD  
SETS OF REQUESTS FOR ADMISSIONS**

**PROPOUNDING PARTY: Defendant Meta Platforms, Inc.**

**RESPONDING PARTY: Plaintiff Jacqueline Woodson**

**SET NO.: One (Requests Nos. 24 [Second Supplemental], 83 And 84 [First Supplemental])**

### **INTRODUCTION**

Plaintiff Jacqueline Woodson (“Plaintiff”) hereby serves her responses and objections to Defendant Meta Platforms, Inc.’s (“Defendant” or “Meta”) First Set of Requests for Admissions (the “Requests” or “RFAs”).

### **SUPPLEMENTAL RESPONSES TO REQUESTS FOR ADMISSIONS**

#### **REQUEST FOR ADMISSION NO. 24:**

Admit that YOU are personally unaware of any text generated by any of Meta’s Llama models that infringes YOUR ASSERTED WORKS.

#### **RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects to the defined terms “You” and “Your” as vague and overbroad and calling for discovery that is irrelevant and/or disproportional to the needs of the case because, as defined, it includes any person asked, hired, retained, or contracted to assist Plaintiff. Plaintiff will construe the terms “You” and “Your” as referring to Plaintiff Jacqueline Woodson. Plaintiff objects to the phrase “personally unaware” as unintelligible. Plaintiff, in her individual capacity, responds, admit.

#### **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 24:**

Plaintiff objects that the term “personally unaware” is vague and ambiguous. Plaintiff objects to the extent that responding to this Request requires adopting a legal conclusion. Plaintiff further objects to this Request as an improper subject of a Request for Admission.

Subject to and without waiving these objections, Plaintiff DENIES Request No. 24 based on the existence of material from her Asserted Works that purportedly is output from a Meta Large Language Model and has been made publicly available without her permission

#### **REQUEST FOR ADMISSION NO. 83:**

Admit that YOU have not granted the publishers of YOUR ASSERTED WORK(S) the

1 right to license the ASSERTED WORK(S) as training data for LLMs.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

3 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
4 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at  
5 \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and  
6 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)  
7 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*  
8 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

9 Subject to and without waiving these general and specific objections, Plaintiff admits that  
10 Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works  
11 and directs Meta to the terms of such licensing agreements, which speak for themselves.

12 **SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

13 Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions  
14 Nos. 9, 10, and 11. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at  
15 \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and  
16 duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a)  
17 and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los*  
18 *Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff  
19 objects to this Request to the extent it calls for a legal conclusion, is overbroad and to the extent it  
20 calls for privileged information.

21 Subject to and without waiving these objections, Plaintiff ADMITS Request No. 83 insofar  
22 as Plaintiff maintains these rights, and Plaintiff’s publisher has not, to date, presented Plaintiff a  
23 proposal similar to the publicly-reported Harper Collins agreement, which demonstrates that  
24 publishers assist in aggregating licenses that compensate authors for the acquisition of and use of  
25 their copyrighted material in connection with LLMs.

26 **REQUEST FOR ADMISSION NO. 84:**

27 Admit that the publishers of YOUR ASSERTED WORK(S) do not possess the right to  
28 license the ASSERTED WORK(S) as training data for LLMs.

**RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014).

Subject to and without waiving these general and specific objections, Plaintiff admits that Plaintiff has entered into licensing agreements with Plaintiff’s publisher for the Asserted Works and directs Meta to the terms of such licensing agreements, which speak for themselves.

**SUPPLEMENTAL RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

Plaintiff objects to this Request as unreasonably cumulative of Requests for Admissions Nos. 9, 10, 11, and 69. *See e.g., Thorpe v. Hearn*, No. 219CV1974KJMKJNP, 2022 WL 902891, at \*5 (E.D. Cal. Mar. 28, 2022) (“Where requests for admission ... are unreasonably cumulative and duplicative of other discovery taken in the case, the requests do not serve the purpose of Rule 36(a) and are properly subject to objection.”) (internal citations omitted); *see also K.C.R. v. Cnty. of Los Angeles*, No. CV 13-3806 PSG SSX, 2014 WL 3433925, at \*4 (C.D. Cal. July 14, 2014). Plaintiff objects to this Request to the extent it calls for a legal conclusion, is overbroad, and to the extent that it calls for privileged information.

Subject to and without waiving these objections, Plaintiff ADMITS Request No. 84 to the extent that she is the owner of those rights, but Plaintiff DENIES that publishers cannot serve as intermediaries and DENIES any implication that publishers play no role in licensing copyrighted works, including the acquisition of and use of such works in connection with LLMs.

1 Dated: December 27, 2024

By: /s/ Bryan L. Clobes

Bryan L. Clobes

Bryan L. Clobes (*pro hac vice*)

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